ORDINANCE 2005-06

AN ORDINANCE TO AMEND ORDINANCE NO. 99-20, INCREASING RATES FOR DOG KENNEL FEES , DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the Mulberry City Council has determined there has been an increase in the number of dogs the citizens of the City are keeping under their control, and;

WHEREAS, the City Council has determined there are new developments in restraining devices for dogs, and;

WHEREAS, the possible keeping of exotic animals in the City need to be addressed, and;

WHEREAS, the kennel fees of Ordinance 99-20 are not adequate and should be increased.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS:

The following amendments be made in Ordinance No. 99-20:

SECTION 1. Amend Section 1 Definitions, Subsection D as follows:

RUNNING AT LARGE. Off the premises of the owner, and not under the control of the owner by means of a leash, cord, chain, fence, electronic restraining perimeter or other perimeter of sufficient quality.

SECTION 2. Section 4, Kennels – Delete the fee of "$50.00" and replace with $100.00.

SECTION 3. Amend Section 6, "Running at Large" as follows

No person shall permit any dog, vaccinated or unvaccinated, licensed or unlicensed, to run at large within the Corporate Limits of the City of Mulberry, that is without being in a securely fenced yard or building, or secured with a leash, cord, chain, electronic restraining perimeter or other perimeter of sufficient quality to restrict the dog to the premises.

SECTION 4. Section 10 Vicious Dogs and or Other Animals ADD "a" for the existing subsection and add subsection "b" as follows:

b. No person within the corporate limits of the City of Mulberry shall keep, harbor or have in their possession any dangerous animals such as, bears, wolves, coyotes, alligators, crocodiles or exotic animals such as tigers, lions, and other possible dangerous animals.

SECTION 5. CONFLICTING ORDINANCES

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. VALIDITY CLAUSE

If any provision of this ordinance is held invalid or unconstitutional it shall be deemed severable and separable, and the remaining provisions shall remain in full force and effect.

SECTION 7. EMERGENCY CLAUSE

It is hereby ascertained and declared that in order to facilitate prompt action concerning the City's animal control problem and thereby restrain and or remove vicious and dangerous animals from the corporate limits of the City of Mulberry, an emergency is declared to exist. This ordinance being necessary for the preservation of the safety and health of the public shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2005.

APPROVED: _____
Jeff Marvin, Mayor

ATTEST: _____
Jerry Dickerson, Recorder-Treasurer